IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 696 OF 1986

1. Shri Balkrishna Keshav Kadam
   Aged 61 yrs.,

2. Kum Sumati Balkrishna Kadam
   Aged 27 yrs.,

3. Kum. Sunanda Balkrishna Kadam
   Aged 19 yrs.,

4. Kum. Surekha Balkrishna Kadam,
   Aged 21 yrs.,

5. Smt. Usha @ Ranjana Ramchandra
   Salvi, Aged 30 yrs.,

6. Shri Narayan Balkrishna Kadam,
   Aged 25 yrs.,

7. Shri Vinayak Balkrishna Kadam,
   Aged 17 yrs.,

   All residing at Room No.7, K.P.
   Gandhi Baug, Old Thane Agra Road,
   Thane -400 601. ..PETITIONERS.

V/s.

1. The State of Maharashtra
   (through the Naupada Police
   Station, Naupada, Thane.)

2. Shri S.K. Nyaynirgune,
   Assistant Commissioner of Police
   and also the Special Executive
   Magistrate ‘A’Division, Thane.

3. Shri Bhaskar Narayan Pusalkar,
   r/at K.P.Gandhi Baug, (Jojari Baug)
   Near S.T.Work Shop, Old Agra Road,
   Thane-601.

4. Shri Namdev Tukaram Kamble, .. RESPONDENTS.

r/at Room No.9, K.P.Gandhi Baug,)
Old Agra Road, Thane -400 601.)
)
5. Shri Bharat Madhukar Bhagat,)
r/at Room No.2, K.P.Gandhi Baug,)
Old Agra Road, Thane -400 601.)
)
6. The Commissioner of Police, Thane.) .. RESPONDENTS.

Mr. R.S. Apte for the Petitioners.

Mrs. S. D. Shinde, APP for the State.

CORAM : D. G. DESHPANDE
S. A. BOBDE, JJ.

DATED : 18TH JULY, 2006.

ORAL JUDGMENT .:

1. This matter is appearing before us on number of times and always Mr.R.S.Apte, learned Advocate, appears for the Petitioners. Nobody appeared for the Respondents and therefore, it was adjourned again and again.

2. Mr.Apte has given a Chart, prepared on the basis of the facts given in the petition. That Chart is marked ‘X’ for identification. The case at serial No.8 on page - 1 of the Chart, is a chapter proceeding and other seven on page -2 are also chapter proceedings of the year 1986-87. Those proceedings were filed under sections 107 and 110 of the Cr.P.C.. The prayer in the petition is for quashing those proceedings.

3. As pointed out above, no body has appeared for the Respondents to show to the contrary to the petition, therefore, we accept the contentions raised by Mr. Apte in para 35 (f) to (g). In any case chapter proceedings automatically come to an end within a period of six months as per the provisions of the Cr.P.C.. All the chapter proceedings are of the year 1985-86. They must have come to an end and if not we hereby quash all of them, after having perused the averments, documents and annexures to the petition.

4. Similarly, as against those seven cases mentioned on page No.2 of the Chart marked 'X', the contentions raised by Mr. Apte, not being contradicted, are accepted. None of the Respondents has filed any written statement to contradict the petitioners. Therefore, we grant prayers (a) to (f) of the petition.

5. Rule is made absolute accordingly. Petition is disposed of.

6. Criminal Revision Application No.370 of 1990 was tagged with the paper-book of the petition. The paper book of the Revision will be separated and the same will be heard after two weeks.

(D.G.DESHPANDE,J)

(S.A. BOBDE, J)

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